

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

MEDIOSTREAM, INC.,

Plaintiff,

v.

ACER INC., ET AL.,

Defendants.

Case No.: 3:10-cv-05762-RS

**[PROPOSED] ORDER AND
STIPULATION OF DISMISSAL**

Judge Richard Seeborg

IT IS HEREBY STIPULATED, by and among Plaintiff MedioStream, Inc. and Defendant Microsoft Corporation (collectively the “Parties”) through their counsel of record and subject to the approval of the Court that:

1. All claims presented by MedioStream, Inc. in this litigation are dismissed with prejudice as to Microsoft Corporation;
2. All other claims presented by MedioStream, Inc. in this litigation against other Defendants are dismissed with prejudice as to any product, service, software, equipment, or other technology of Microsoft Corporation;
3. The Parties shall bear their own costs and attorneys’ fees.

/s/ Henry C. Bunsow

Henry C. Bunsow (State Bar No. 060707)
hbunsow@bdiplaw.com
Bunsow De Mory Smith & Allison LLP
55 Francisco Street, Suite 600
San Francisco, CA 94133
Tel: (415) 426-4747
Fax: (415) 426-4744

Byron Cooper (State Bar No. 166578)
530 Lytton Avenue, Suite 200

/s/ Michael K. Plimack

Michael K. Plimack (SBN 133869)
Scott A. Schrader (SBN 219673)
COVINGTON & BURLING LLP
One Front Street
San Francisco, CA 94111
Telephone: (415) 591-6000
Facsimile: (415) 591-6091
Email: mplimack@cov.com
Email: sschrader@cov.com

Palo Alto, California 94301
Telephone: (650) 283-4244
Fax: (650) 617-3201
Email: bcooper@teklaw.co

S. Calvin Capshaw (pro hac vice)
Elizabeth L. DeRieux (pro hac vice)
CAPSHAW DeRIEUX, LLP
114 E. Commerce Ave.
Gladewater, TX 75647
Tel: (903) 236-9800; Fax: (903) 236-8787
Email: ccapshaw@capshawlaw.com
Email: ederieux@capshawlaw.com


George F. Pappas (admitted *pro hac vice*)
Ranganath T. Sudarshan (SBN 244984)
COVINGTON & BURLING LLP
1201 Pennsylvania Ave. N.W.
Washington, DC 20004-2401
Telephone: (202) 662-6000
Facsimile: (202) 662-6291
Email: gpappas@cov.com
Email: wzapf@cov.com

Counsel for Defendant Microsoft Corporation

Counsel for Plaintiff MedioStream, Inc.

IT IS SO ORDERED.

Dated: 4/26/13



Hon. Richard Seeborg
United States District Judge